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SIZE DOESN'T MATTER: THE IMPACT OF SMALL GANGS IN MONTGOMERY COUNTY, MARYLAND

Jeffrey T. Wennar*

Introduction

"They aren't a real gang." How many times have we heard the community, politicians, educators and even the police say that about a group that has come to public attention because of a crime or series of crimes attributed to them. A misconception that continues to prevail among law-abiding citizens is that a gang has to be what they see in the media, a nationally recognized entity. There are those who believe that unless the Crips, Bloods, MS-13 or Latin Kings are present then there is no "real" gang activity in their community. For those that grew-up in the 1960's and remember the Academy Award winning film *West Side Story* as a first introduction to gangs in America, the memory will be of local gangs, the Jets and the Sharks, trying to carve out a geographic territory in an urban environment.

This article addresses three local Montgomery County, Maryland gangs. For two of the gangs, Shoot em up/Hotboyz and 54Mob, it focuses on a single day. With the remaining gang, 38Mob, events from late 2006 through June 2007, will be explored. Common among all three gangs is a local vs. national presence, a suburban environment and violent behavior.

The existence of local gangs is a national phenomenon. Gangs can be all of one race or ethnicity, or mixed composed of members from different racial and/or ethnic backgrounds. The three gangs that this article discusses are black. The East Coast of the United States is seeing an increase in black gangs and black gang activity. Some of these gangs are identifying themselves as being associated with the Bloods or Crips. Some, like the ones discussed in this article, are local. But, as we see with the first gang discussed, these gangs show some knowledge and movement towards a national affiliation.

The State of Maryland defines a criminal gang as: "a group or any association of three or more persons: (1) that forms to engage in criminal activity, including acts by juveniles that would be crimes if committed by adults, for the purposes of pecuniary gain or to create an atmosphere of fear and intimidation either collectively or with knowledge of the acts of the members of the group; and (2) whose members have a common identifying sign, symbol or name."¹

54Mob

The 54Mob is a local gang originating in the Scotland area of Bethesda. Law enforcement can trace the gang back approximately twenty years. The name comes from the last two numbers of the local zip code, 20854. 54Mob uses the colors red and black. They have a specific hand sign. Their graffiti has been found in the Scotland community and elsewhere throughout Montgomery County. Members have been known to tag notebooks and papers. There are concerns that this local group may soon align with the 9 Trey Gangster Bloods. Police have linked the 54Mob to narcotics violations, robberies and

assaults. Members of the Scotland community deny that there is a gang known as the 54Mob.

Montgomery County Public School students had just returned from Christmas break on January 3, 2007. As the school day ended at Churchill High School, Montgomery County Police and Fire & Rescue personnel were dispatched to the school for a fight in progress. As units arrived on the scene they observed numerous students standing around. The school's security had separated some students who had sustained injuries. After the students had been treated, all individuals involved were returned to the school for investigative purposes.

Investigation by the police determined that the fight involved Aaron W., Chase F., Arthur P. and Kevin H. The fight began inside the building by the school store. This confrontation was the result of a previous fight where Arthur P.'s older brother Randy P. was charged for assaulting Deangelo B. On this day, Chase F. walked-up and punched Deangelo B. in the face. A verbal argument ensued and someone suggested the fight be taken outside.

Once outside Chase F. punched Kevin H. in the face. A school security officer intervened between Kevin H. and Chase F. as Arthur P., Khiry L. and Aaron W. perpetuated the fight by yelling and egging the fighters on. The school security officer managed to get Kevin H. and Chase F. to the ground. However, the officer was then attacked by both Aaron W. and Arthur P. Aaron W. kicked the officer twice in the head as Kevin H. continued to yell encouragement to keep the fight going. During this incident the school was locked down under a Code Blue.

This incident was a continuation of a fight that had occurred at Churchill involving the same students on November 10, 2006. On November 20, 2006, mediation was conducted where the parents, students, staff and police were all involved. At the mediation, both sides agreed to a peace.

Pursuant to the Maryland statute,² the individuals were charged with second degree assault. Their charging documents were forwarded to the Department of Juvenile Services. The Department is mandated with conducting an intake hearing, and, after that hearing, either handling the cases informally or sending forward an authorization to the State's Attorney's Office allowing that office to file a Petition alleging delinquency. The Department opted to handle the cases informally. Therefore, the court was never involved and no ongoing supervision or programs were available to these individuals.

Shoot em up/Hotboyz

On February 24, 2007, at approximately 7:19 p.m., two individuals, Dominic C. and Tracey D., were at Wheaton Plaza in Wheaton, Maryland. While at Wheaton Plaza, Dominic C. and Tracey D. were observed by an individual who,

upon seeing Dominic C. and Tracey D., then called D.M. and told him that “Blou” was at the Mall and to round everyone-up. D.M. was able to round-up Carl T., Sephar J-S., Alexander T., Ony G. and Alasan T. They all went to the Wheaton Plaza in D.M.’s jeep. As Dominic C. and Tracey D. were crossing the pedestrian footbridge from the Mall to the bus transfer station they were observed by this group of boys. The group chased Dominic C. and Tracey D. down the stairs into the bus bay. Dominic C. and Tracey D. were attacked by the group. During the fight, Alasan T. pulled out a knife and proceeded to stab both Dominic C. and Tracey D. Dominic C. suffered life threatening puncture wounds to his lung, and he was admitted to the hospital for treatment. Tracey D. had a puncture wound to his back and he was treated and released from the hospital.

Investigation revealed that Dominic C., who attended Wheaton High School, is a member of a rival gang called Pitch Black. Members of Shoot em up/Hotboyz, who attended Kennedy High School, believed that Dominic C. broke into a house that one of their members, Dumisani T. (known as D.J.) lived in. There was a great deal of vandalism inside the house and the name “Blou” was written on the wall. Dominic C.’s street name is “Blou.”

All of the attackers escaped and made their way to D.M.’s house where they discussed the attack that had occurred at the METRO station. While at D.M.’s house, Alasan T. admitted to having stabbed both Dominic C. and Tracey D.

The group then went to the Bel Pre Road area of Wheaton. At that location they met with Ilan G. and Roger G. (brothers of Ony G.), Gilbert O. and Guyton O. (brothers), Wesley R., Pernell R., and Dumisani T. As they stood around talking Pernell R., Wesley R. and Dumisani T. attempted to enter a car that was in the parking lot. The owner of the car was in an apartment at a party. He, and a number of the other party goers, exited the apartment and confronted the group. En mass the group attacked the owner of the car, Rivera, knocking him to the ground, kicking and striking him and dragging him over ten yards and then the group fled. This attack occurred at approximately 8:00 p.m.

Police and fire & rescue personnel arrived on the scene. Rivera was transported to the hospital when it was discovered he had been stabbed. The puncture wound damaged his lung. He was then transferred to a shock trauma center and hospitalized.

Police stopped Pernell R., Carl T. and Dumisani T. a short distance from the incident. Pernell R. and Dumisani T. were identified in a show-up as having broken into the car. Over the course of the next seventy-two hours, all of these individuals were identified and arrested. The majority provided statements to the police addressing their involvement and the involvement of others. From their own statements, and statements from witnesses, it was determined that Roger G. had armed himself with a knife, and had bragged to the group when they returned to his house that he stabbed the victim, Rivera. His purpose in arming himself was the belief that “Blou” was on his way to attack the group.

The State’s Attorney’s Office was notified early on February 26th about both stabbings. The Montgomery County

State’s Attorney’s Office has the only dedicated gang unit in the State of Maryland. Gang prosecutors were immediately assigned to the cases and to the ongoing investigations. Gang prosecutors were able to help with the writing of search warrants and were available for Bond Hearings. The oldest person charged, Alasan T., is seventeen, the youngest, Ilan G. is twelve. With the exception of the twelve year old, all of the individuals were charged as adults pursuant to State Law.³ Because the charges involved juveniles, the State was mandated to hold a Preliminary Hearing within fifteen days⁴ as opposed to an adult where the State has thirty days to conduct a Preliminary Hearing.⁵ The State began to experience witness problems by time Pernell R.’s case was scheduled for trial. Witness problems are not unusual in gang cases, and are not uncommon when there are multiple defendants with multiple court dates. With the exception of Pernell R., all of the others pled guilty to being involved in the criminal acts.

Shoot em up/Hotboyz came to the attention of law enforcement as a result of these February 24th incidents. As a condition of probation, those members placed on probation were ordered to have no contact with gangs and/or gang members. Pitch Black has also been an ongoing problem in the first and fourth police districts. Members have been involved in strong armed robberies, assaults and burglaries.

38Mob

The 38Mob named themselves after the 3800 block of Castle Boulevard in the Silver Spring district of Montgomery County.

On January 19, 2007, Detective Oaks of the Montgomery County Police Department, Special Investigations Division made arrangements to meet with David C. in order to purchase PCP. The two had met a week earlier, and Detective Oaks had made a similar purchase of PCP at that time. At approximately 2:15 p.m., Detective Oaks parked his undercover police vehicle in a parking lot at Green Castle and Turbridge Road, a location agreed upon by David C. Shortly thereafter, David C. arrived with another individual later identified at Marquis T. Both subjects entered the vehicle, David C. in the front right seat and Marquis T. in the rear right seat. For the officer’s safety, the transaction was being recorded with an electronic recording device. This device also allowed other narcotics officers, who were providing cover for Detective Oaks, to monitor the transaction and provide assistance if required.

Approximately ten minutes after David C. and Marquis T. entered the vehicle, an altercation ensued between the Detective and David C. The Detective believed that David C. was attempting to sell him fake PCP. David C. became angry when confronted with this deceit. David C. then advised Detective Oaks that his boy Marquis T. had a “hammer.” Within seconds of making this comment Detective Oaks began to repeatedly yell “get that gun out of my face.” Detective Oaks began to yell for help and struggle with both subjects. As he struggled with the subjects, Detective Oaks was shot twice

and the subjects then fled.

David C. was apprehended a short distance from the car, and eventually admitted that he knew Marquis T. had brought the gun to the drug transaction. Marquis T. was shot by police prior to being taken into custody and he died from his wounds.

The police and State's Attorney's Office began to look at David C. and Marquis T., and the individuals they associated with. As this investigation broadened, their association with the 38Mob became evident. Police had been aware of the 38Mob for some time. Until this attempted murder of a police officer, the 38Mob had been involved with strong armed street robberies, drug dealings and burglaries. Through extensive crime analysis and the physical job of re-reading police event reports, a pattern of criminal activity has been attributed to members of the 38Mob.

Conclusion

Are they real? Do they meet the criteria established by the Legislature? The short answer is yes to both questions.

The more important questions are why do these gangs exist and how should their existence be addressed.

It has become evident to law enforcement throughout the United States, and particularly in Montgomery County, that we can not prosecute our way out of criminal street gang activity. There are three components that must be considered and must comprehensively be applied together to the gang problem. They are intervention, prevention and suppression.

With regard to the crimes committed, once the police have concluded their investigation and suspects have been arrested, then those individuals should be prosecuted. This is the traditional suppression approach and that approach involves the police and prosecutors office initially, and may involve the Department of Corrections and the Department of Parole and Probation eventually. An additional piece to this approach regards the re-entry of the criminal into society. Unless programs are established in our penal institutions that address education, job skills, anger management, peer choices, and a host of other specialized programs to deal with substance abuse, domestic violence and the ability to make good decisions, then we will continue to see the revolving door that our justice system has become. If an individual is not prepared through education and job training then that individual stands a very good chance of recidivating and returning to jail.

Prior to any crime ever being committed by an individual, an assessment has to be made of the potential of an individual for criminal conduct. That assessment would include who that individual has been with when stopped by the police or who that individual has associated with during negative school behavior. In an attempt to put the individual back on a path of behavior that is accepted by society, services have to be offered to that individual and his/her family in

order to intervene in the behavior trend. This is the intervention piece that can be implemented by governmental agencies, other than law enforcement, community activists, or the faith based community.

The prevention component would involve gang awareness programs in communities struggling with gang activity or gang presence. This component would offer warning signs to parents, teachers and community leaders so that they would know what to look for in their children, students and neighborhoods. As soon as the warning signs begin to be exhibited, the intervention piece could be applied. The application of early prevention and intervention could possibly reduce the need for suppression. The community and local government must address the need for after school and summer programs. Studies continue to show that there is an increase in juvenile crime from 2:00 p.m. until approximately 9:00 p.m. Structured programs that provide options for minors have been shown to work. Whether it is a sports program, arts, music or a study group, society must implement and provide these alternative resources to minors. Likewise, summer programs that provide structure for minors are a positive alternative to minors running the streets without supervision.

Our country is never going to totally eradicate gangs. Gangs have been in the United States since before the country was founded. However, if all facets of the community acknowledge that there is a gang problem, identify those at risk for being targeted by gangs, make a commitment to providing long-term resources for intervention, prevention and suppression activities, then there will be a significant reduction in gang related crime and gang related activity.

¹ MD. CODE ANN., CRIM. LAW § 9-801(c) (2008).

² MD. CODE ANN., CTS. & JUD. PROC., subtitle 8A (2008).

³ MD. CODE ANN., CTS. & JUD. PROC. § 3-8A-03 (d)(1).

⁴ MD. CODE ANN., CRIM. PROC. § 4-202.1 (b)(1)(ii).

⁵ MD. CT. R. 4-221(b) (2008).

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